

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 2245-AG06-0103-163

IN THE MATTER OF:

William M. Worthy, II
 Producer/Respondent.

550 Palmetto
Spartanburg, South Carolina 29302

Type of Agency Action: Enforcement

License Number: 425169

FILED
APR 21 2006
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On March 15, 2006, the appointed Administrative Law Judge, Dan Tollefson, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of Law and Recommended Order and Notice of Filing of Recommended Order on Respondent.

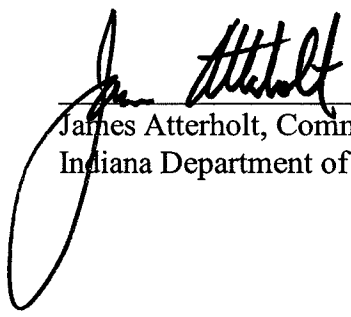
2. The Department has complied with the notice requirements of Indiana Code Section 4-21.5-3-17.

3. Respondent has not filed an objection with the Commissioner regarding the Administrative Law Judge's Recommended Order, and more than fifteen (15) days have elapsed.

THEREFORE, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order, and Issues the following Final Order:

1. Respondent's insurance producer license number 425169 in the State of Indiana is hereby permanently revoked.
2. Respondent shall remit a fine in the amount of ten thousand dollars (\$10,000), made payable to the Indiana Department of Insurance within thirty (30) days from the date of this order.

ALL OF WHICH IS ORDERED THIS 20 day of April, 2006.


James Atterholt, Commissioner
Indiana Department of Insurance

Distribution to:

James Holden, Esq.
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

William M. Worthy, II
550 Palmetto
Spartanburg, SC 29032

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 2245-AG06-0103-163

IN THE MATTER OF:

William M. Worthy, II
Producer/Respondent

550 Palmetto
Spartanburg, South Carolina 29032

Indiana Insurance License No. 425169

Type of Agency Action: ENFORCEMENT

FILED

MAR 15 2006

STATE OF INDIANA
DEPT. OF INSURANCE

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER**

Administrative Law Judge, Dan Tollefson, having considered and reviewed all of the evidence, will now render a decision in the matter of Respondent, William M. Worthy, II. This matter came to be heard by Dan Tollefson, designated Administrative Law Judge, on the 14th day of March, 2006 at 2:00 PM.

The Indiana Department of Insurance was represented by counsel, James Holden. Respondent was not present. Witnesses testified under oath, evidence was heard, and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the Administrative Law Judge now makes the following Findings of Fact, Conclusions of Law, and issues his Recommended Order.

FINDINGS OF FACT

1. Respondent is a licensed insurance producer, duly licensed by the State of Indiana, holding license number 425169.

2. The Department reviewed the National Association of Insurance Commissioners ("NAIC") national data bank for regulatory actions and discovered Respondent had his insurance producer license revoked in a number of other states. The Department does not have record that Respondent reported the administrative actions.

3. Effective September 30, 2004, Respondent's state of domicile, South Carolina, has suspended his insurance producer license until the one hundred thousand dollar (\$100,000.00) administrative fine is paid. To date, the fine has not been paid and Respondent's license remains suspended.

4. Respondent's insurance producer license has been suspended or revoked in other states, provinces, districts or territories and is cause for disciplinary action in accordance with Indiana Code 27-1-15.6-12(b)(9) and 27-1-15.6-12(b)(2).

5. Respondent failed to report administrative actions taken against him in other states within the time allowed as required by Indiana Code 27-1-15.6-17(a) and is cause for disciplinary action in accordance with Indiana Code 27-1-15.6-12(b)(2).

6. Respondent's conduct, as alleged herein, is considered to demonstrate incompetence and untrustworthiness and is cause for disciplinary action in accordance with Indiana Code 27-1-15.6-12(b)(8).

CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. The Commissioner has the discretionary authority to permanently revoke the Respondent's license to sell insurance, to fine Respondent, and to order restitution.
4. The Department has met its burden in showing by a preponderance of the evidence that Respondent's conduct is contrary to Indiana Insurance Code and that disciplinary action to include revocation of license is in order.
5. Findings of Fact that can be adopted as a Conclusion of Law are hereby incorporated herein as such.

RECOMMENDED ORDER

With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner of Insurance the following:

1. Respondent's insurance license 425169 be permanently revoked.
2. Respondent remit a fine in the amount of ten thousand dollars (\$10,000.00).

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this 15th day of March, 2006.



Dan Tollefson
Administrative Law Judge

Distribution:

James Holden, Attorney
Indiana Department of Insurance
311 West Washington Street, Suite 300
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William M. Worthy, II
550 Palmetto
Spartanburg, South Carolina 29032